

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE PRESCRIPTION
OPIATE LITIGATION

This document relates to:
Case No. 1:18-op-45776-DAP

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF SANTA FE,

Plaintiff,

vs.

PURDUE PHARMA. et al.,

Defendants.

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

**OPPOSITION TO PLAINTIFFS' MOTION TO STRIKE THE KROGER
DEFENDANTS' THIRD-PARTY COMPLAINT**

Defendants and Third-Party Plaintiffs The Kroger Co., Kroger Limited Partnership I, and Kroger Limited Partnership II, oppose Plaintiff's Motion to Strike (the "Motion"), incorporate by reference the opposition to plaintiffs' motion to strike in Track 3 (MDL ECF No. 3551), and respectfully submit that the Court erred by striking the third-party complaint in Track 3 (MDL ECF No. 3561).

Dated: January 18, 2022

Respectfully submitted,

**COUNSEL FOR DEFENDANTS AND THIRD
PARTY PLAINTIFFS THE KROGER CO.,
KROGER LIMITED PARTNERSHIP I AND
KROGER LIMITED PARTNERSHIP II**

s/ Ronda L. Harvey

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CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of January 2022, I electronically filed a copy of the foregoing with the Clerk of the Court using the ECF system, which sent notification of such filing to all counsel of record.

/s/ Ronda L. Harvey
Ronda L. Harvey